

Regarding the Serious Financial Burden of Being an Elizabethan Catholic

by G. Ann Mitschek

For several seasons now a myth has existed within the Guild of St. George, regarding the payment of a fee by Catholics which excuses them from attending the government sanctioned church services. Nothing could be further from the truth, in fact there were heavy penalties exacted against those who did not attend, for whatever reason.

The penalty fines stemmed from the Acts of Supremacy and Uniformity, as established by Parliament in 1559, and were supposed to encourage at least outward conformity to the “new” religion. The Act of Supremacy expressly forbade any subject of the English Crown to recognize the authority of any foreign prince, in worldly or spiritual matters, as greater than that of the Queen. The Act of Uniformity prohibited the use of any form of worship service other than those described in the Book of Common Prayer. All subjects of the Queen were required to attend their local parish church on Sundays and holy days, or pay the penalty under the law. Roman Catholics could not legally recognize the Pope’s spiritual authority or hear mass, their religion’s central act of worship. If they obeyed English law, they could not remain Catholics, thus putting their souls in danger of eternal damnation.

For example, see how your character would react to the Oath of Supremacy:

I, (your name), do utterly testify and declare in my conscience that the Queen’s Highness is the only supreme governor of the realm and of all other her Highness’ dominions and countries, as well in all spiritual or ecclesiastical things or causes as temporal, and that no foreign prince, person, prelate, state or potentate hath or ought to have any jurisdiction, power, superiority, preeminence or authority ecclesiastical or spiritual within this realm, and therefore I do utterly renounce and forsake all foreign jurisdictions, powers, superiorities and authorities, and do promise that from henceforth I shall bear faith and true allegiance to the Queen’s Highness, her heirs and lawful successors, and to my power shall assist and defend all jurisdictions, preeminences, privileges and authorities granted or belonging to the Queen’s Highness, her heirs and successors, or united or annexed to the imperial crown of this realm: so help me God and by the contents of this Book. [meaning the Bible - AC]

Fortunately, the oath was not administered to each and every subject of the crown. It could be, and was, administered to “*all ecclesiastics, judges, mayors and temporal officers, everyone receiving the Queen’s wages or fees, all persons suing livery of lands and doing homage, and to anyone taking holy orders or degrees at the universities*”. Anyone refusing to take the oath would be deprived of their office and barred from holding office again for life. This could mean loss of livelihood and reputation. Oaths were taken very seriously in this time.

There were further penalties for those who “by writing, printing, teaching, preaching, express words, deed or act” upheld the spiritual jurisdiction of any foreign prince or prelate. The penalty for the first offense could be loss of all goods and chattels; the second offense, loss of all property and imprisonment for life; and for a third offense, the same penalty as for high treason . . . death.

Similar penalties were involved for those who used any other form of worship or spoke against the Prayer Book. For the clergy, the first offense brought loss of a year’s income and six months imprisonment. A second offense was a year in prison and loss of all benefices; and a third offense was life imprisonment. Anyone speaking against the Prayer Book, causing a clergyman to use another form of service or who disturbed or hindered the service could be fined 100 marks [£75] the first time, 400 marks [£300] the second, and lose all their goods and suffer life imprisonment for a third offense. Anyone not attending church on Sundays or holy days could be fined 12 pence for each offense or suffer the “censure of the church”, which could involve lesser or greater excommunication. An excommunicated person could not receive Christian burial, their evidence was considered worthless in a law court and many other serious strictures made this no light penalty. Also, when you consider that one Elizabethan penny had roughly the same purchasing power as \$5 modern-American, these fines were no trivial thing either.

The Papal bull of excommunication, “*Regnans in Excelsis 1570*”, declared Elizabeth deposed and Catholic loyalty to her void. It also said if they continued to follow her they were also excommunicated. Though not originally widely published with the intent that it should inspire English Catholics to rise up against the Queen, copies began arriving in England and making the government nervous. As a result, the government began to take stricter measures to stop the possible spread of Catholic sympathies. Laws passed in 1571 prohibited the bringing in or putting into execution any bulls or other documents issued by the “Bishop of Rome”. This meant, in particular, writings that would reconcile her majesty’s subjects to the Pope’s authority and pardon them for not obeying the ‘*Regnans Excelsis*’.

At this time it was also outlawed to bring in to the country any “*tokens or things such as an Agnus Dei, or any crosses, pictures, beads or such like vain and superstitious things from the Bishop or See of Rome*”. (An Agnus Dei was a wax disc with a lamb imprinted on one side and the name and arms of the Pope on the other. They were also blessed by the Pope.) The penalties for these acts ranged from seizure of goods and imprisonment to those for high treason.

The coming of the Jesuit missionaries and Douay seminary priests in the 1580's caused further tension in the halls of government. Though the Jesuits claimed they were sent primarily to comfort and reassure Catholics, they were seen as coming to withdraw subjects from their due obedience, and laws were passed to cast priests who were ordained on foreign soil or prior to certain dates, out of England. Those remaining after a specified deadline were guilty of high treason. Anyone who harbored or aided these persons were guilty of a felony and might be sentenced to death. Anyone who knew where such priests were hidden and did not act on that information within 12 days could be fined and imprisoned. Any official who was given this information and did not tell the Council within 28 days could be fined 200 marks [£150] per offense. Any subject sending money to support the colleges that trained these missionaries or to persons attending them could be sentenced to the penalties of praemunire (the loss of all goods and imprisonment at the Queen's pleasure). Anyone sending children out of the country without a special license (except merchants sending them on business or as mariners) could be fined £100 for each offense.

As a result of the missionaries' efforts, new statutes raised the fine to £20 per month for Catholics who did not attend the established church. This escalated to £40 for a second offense, £100 for a third and the penalties of praemunire for a fourth. Once a Catholic had been convicted and had paid this fine there was no need for another indictment and payments of the accumulated fines were required to the Exchequer twice a year. Failure to do so could bring action by the crown, resulting in seizure of all goods and 2/3 of their landed property. These fines provided the crown with an income of just over £36,332 between 1587 and 1592. This is a little beyond the period we are portraying, but it is something interesting to be aware of.

In general, as long as the Queen's subjects obeyed the laws they would not suffer molestation. Their outward conformity was what the state required. They could remain Catholics as long as they "pretended" to be Protestants - lived and worshipped as Protestants. The Queen did not require them to believe any of what they professed to believe as long as they didn't cause trouble. The penalties were designed to pinch the wallet and help support the cost of running the country. Torture and imprisonment were reserved for persistent troublemakers only. In this way, English Catholics were treated far better under Elizabeth than Protestants were under Mary Tudor or Philip II of Spain and the Inquisition.

Most of this information was taken from: *Papists and Puritans Under Elizabeth I*, by Patrick McGrath, and *The Tudor Constitution - Documents and Commentary*, by G.R. Elton.

Other good sources for information on religious differences are *The English Reformation*, by A.G. Dickens, *The Other Face: Catholic Life Under Elizabeth I*, collected and edited by Philip Caramen, and *Roman Catholicism in England from the Reformation to 1950*, by E.I. Watkin.

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